

## R E M A R K S

The last Official Action (Paper No. 8 dated July 9, 2003) has been carefully considered.

As concerns the Primary Examiner's observations under the heading "**Priority**" on page 2 of Paper No. 8, applicants respectfully draw attention to the **PETITION UNDER TITLE 37 OF CFR 1.78(a)(3)** which is appended to this response. It is sincerely believed that the filing of such PETITION and of the enclosed fee warrants the grant of applicants' priority claim and, consequently, withdrawal of the published US Patent Application Serial No. 10/204,166 (Publication No. US 2003/0089572 A1 - publication date May 15, 2003) as a valid reference against the claims which are presently active in this application.

Applicants believe that the **Office Action Summary** requires reconsideration. Items 4 and 6 of the "**Disposition of Claims**" refer to the claims 88 and 89 as being active in the application. Please note that these claims were cancelled in the Amendment dated May 27, 2003. If the Primary Examiner agrees, the first line of the last paragraph on page 3 of Paper No. 8 also requires some modification (namely "67-90" should be changed to --67-87 and 90--).

Applicant believes that the claims 9, 43, 44, 46-55, 59, 61, 64-66, 91-93, 100-103 and 107 (listed under the heading "Election/Restrictions" on page 3 of Paper No. 8) can remain in the present application because they depend from the presumably allowable independent claim 1.

The independent claim 109 has been cancelled without prejudice, applicant reserving the right to file a divisional application with the claim 109 prior to completion of proceedings in the present application.

Applicant has decided to amend the independent claims 1 and 108 in exact accordance with the suggestions in the last two lines on page 3 of Paper No. 8. Therefore, applicant believes that the Primary Examiner will now decide to withdraw the rejection of the claims 1, 3-8, 10, 11, 13-42, 45, 56-58, 60, 62, 63, 67-87, 90, 94-96, 98, 99, 104-106 and 108 as failing to comply with the provisions of 35 USC § 112.

It is believed that, in view of the submission of Petition in accordance with 37 CFR 1.78(a)(3), the claim rejections under 35 USC § 102 and 35 USC § 103 (on pages 4 and 5 of Paper No. 8) need not be discussed at this time.

The indicated allowability of the claim 112 is gratefully acknowledged. It is believed that the Pri-

mary Examiner will now allow the claim 112 because this claim depends upon the independent claim 111 which appears to be patentable for reasons pointed out in the second paragraph on page 27 of this Amendment.

Applicant further gratefully acknowledges allowance of the independent claim 113.

The claims 16-23, 98 and 99 are believed to be allowable in their present form because all of these claims depend (directly or indirectly), from the presumably allowable claim 1.

The amendments to the claims 3, 20, 22, 29-31, 36, 37 and 64 are of purely formal nature; they do not introduce any new matter.

This Paper is believed to place the present application in condition for allowance with claims 1, 3-11, 13-87, 90-96, 98-108 and 111-113, and such disposition at a reasonably early date is earnestly solicited.

Respectfully submitted,

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